

(\$25.00) if a wholesaler or a wholesaler and retailer, and ten dollars (\$10.00) if only a retailer. Each branch of any wholesaler or retailer shall be required to pay the retail license tax. The commissioner's receipt for such money shall be license to conduct the business."

License for each branch.

SEC. 3. That section eighteen of the above chapter be amended by adding at the end thereof the following: "*Provided further*, that no farmer residing in North Carolina shall be required to procure a State seed license to sell seeds raised on his own farm." That all of section nineteen of the above chapter be stricken out and the following substituted in lieu thereof: "Sec. 19. That the word 'approximate' as used in this Act shall be interpreted as follows:

Chapter further amended.

Farmers, exempted.

For purity guarantees the tolerance allowed shall be two-tenths of one per cent, plus twenty per cent of the lesser part of the sample. That is to say, a sample is considered as being made up of two parts, the Pure Seed (meaning the seed or seeds named on the label), and the balance of the sample (other agricultural seeds, weed seeds and inert matter). For example, if a purity of ninety-eight per cent (98.00%) is claimed, the sample may test as low as ninety-seven and forty one-hundredth per cent (97.40%) and not be deemed mis-labeled; if a purity of eighty-two and twenty one-hundredth per cent (82.20%) is claimed, the sample may test as low as seventy-eight and forty-four one-hundredth per cent (78.44%) and not be deemed mis-labeled.

Tolerance allowances for purity guarantees, specified.

For germination guarantees the following tolerance scale shall be allowed:

Tolerance scale for germination.

<i>Guarantee (%)</i>	<i>Allowable Variation (%)</i>
90 or above.....	6
80 or above, but less than 90.....	7
70 or above, but less than 80.....	8
60 or above, but less than 70.....	9
Less than 60.....	10"

SEC. 4. That when any section of this Act has been violated, the seed may be seized and held until the Act has been complied with. If the Act has not been complied with within thirty (30) days, said seed may be condemned and sold at public auction. Seizures may be made by the Commissioner of Agriculture, his agents, or any peace officer.

Seizure and condemnation authorized, upon violation.

SEC. 5. That if any section of this Act shall be held invalid, the remaining sections and provisions shall not be thereby affected.

Partial invalidity section.

SEC. 6. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect on and after the first day of January, one thousand nine hundred and thirty-eight.

Effective date.

Ratified this the 22nd day of March, A.D. 1937.